

**From:** Ted Lank [mailto:ted12345678910@yahoo.com]  
**Sent:** Wednesday, August 30, 2006 8:50 PM  
**To:** sunshine\_reform\_task\_force@sanjoseca.gov  
**Subject:** Sunshine Reform suggestions

The following are some suggestions regarding Sunshine Reform

1. Fraud and Audit Hotline - Public Information Reform #7. This is one of the 14 reforms referred to staff for implementation. At the August 29, 2006 Council Meeting, Item 3.5 included a status report indicating this item is completed. It was heard as Item 3.4 of the same Council meeting. I recommend that this item be re-opened and that the Sunshine Committee discuss it since I believe the report submitted to City Council (Item 3.4) was significantly incomplete and that the Sunshine committee make recommendations for a complete report, discuss and make recommendation on future frequency of the report, whether the City Auditor should take the lead on the hotline, and recommend improvements such as other ways to report issues to the hotline.

Recommendations to have a complete report: Each issue should be listed, its status (unable to resolve and why, resolved, still being investigated, investigation complete, action taken (such as two week suspension of employee and supervisor, new procedure developed and implemented and described the new procedure like the new RFP process etc.), Department where issued occurred, if turned over to outside agency - name the agency, indicate if reviewed by Department Head, indicate if reviewed by City Manager. Show additional statistics showing how many types of issues occurred per Department, any trends noted, year to year comparisons etc.

Recommendation for frequency of report to Council: Quarterly with cumulative information shown in a fiscal year.

Recommendation on lead: Auditor since the office that now has the lead is part of the City Manager's office where recent issued previously involved members of the City Manager office - conflict of interest or at least a perceived conflict of interest. This office (Employee Relations) also negotiates employee salaries which causes a conflict between employees who might report issues and the Employee Relations office. The City of Austin Texas has a similar hotline and their Auditor is the lead on it.

2. Information Memos to City Council need to be posted on the web.
3. City Manager approved agreements need to be posted on the web. Depending on the number maybe a minimum dollar amount be determined such as \$50,000.
4. City Council approved agreements. When the City Council is approving an agreement as part of a Council item, in addition to the Council memo recommending the approval the agreement, the agreement needs to also be available on the web associated with the Council item. If the Council authorizes the City Manager to negotiate and approved an agreement, the draft agreement need to be available on the web associated with the Council item. And after the City Manager negotiates and approves the final agreement

along with any future amendments needs to be posted on web associated with the Council items as well as when any amendments are made to agreement (also posted on the web associated with the Council item recommending the amendment). Additionally the agreement needs to be available on the web associated with any Council item associated with the agreement. As an example when the Memo to the City Council recently discussed bringing the NBA to the HP Pavillon then the agreement and any associated amendments that agreement needed to be posted to the web associated to that agreement. It was good that in that Council memo the memo indicated what part of the agreement applied but the entire agreement and amendments needed to be posted also. In general previous documents associated with an item on the Council Agenda need to be posted along with the current information. Because of the web these item only need to be scanned once but can be linked to multiple locations.

5. Monthly Financial Reports need to be regularly posted to the web. Some are now posted but the majority are not.